

CHRONICLE-UNION

BRIDGEPORT, DECEMBER 1, 1888.

Entered at the Bridgeport Postoffice as Second-Class Matter.

SAN FRANCISCO AGENTS.

R. G. DARR, 65 Merchants' Exchange.
L. F. FISHER, 21 Merchants' Exchange.
G. H. KELLOGG, 300 Pine street.

SHOULD BE RE-COUNTED.

The manner in which the San Francisco election returns were made up and returned to the Election Commissioners after the late election was disgraceful, and tend to give the average citizen an impression that most of the officers and clerks of election were dishonest or dummies—perhaps both. Some of the returns showing Republican majorities were sent in unsigned by the officers, and, of course, attorneys for Democratic candidates "protested" against their reception. And scarcely a return was received that did not show a discrepancy between the certificate and the tally-lists. It is well known that many of the polls were held in low, out-of-the-way places, where decent people would hesitate to go, and where returns could be doctored to suit the powers that be in that city, and as the people of the entire State, and not alone San Francisco, are interested in having an "honest count," on account of the Congressmen and Senators and Assemblymen, there should be a recount of the entire vote of that city. Californians have not forgotten that a few years ago the Democratic candidate for Sheriff of San Francisco was returned elected by a large majority, and that on a re-count through a contest by his Republican opponent that great majority was whittled down to so fine a point that for several days it was thought the Republican would come out "on top," but the Democrat was successful by a very small majority, the contest showing a corrupt state of affairs, and all who know anything of San Francisco politics are well aware that the political morals of that city have not improved since that "contest." The Republican State Central Committee should demand a recount of the Phelps-Clark Congressional vote, and the legislative vote, in which the people of the entire State are interested. If we want an "honest count" in the South, let us set a good example in the North.

While we have been enjoying fine weather our Eastern friends have been in the midst of heavy snow storms and disastrous life, which have caused great loss of goods and property by shipwrecks on the Atlantic coast, particularly on the New England coast. On Tuesday, Denver and other Western localities were having a big snow storm.

The Canadian Government has ordered two new forty-pounder rifled guns from the Imperial Government for use on the Pacific Coast. Are they for use, or to look at?

Commodore Cicero Price, U. S. N., retired, father of the Dutchess of Marlborough, died at Troy, N. Y., on Saturday last, aged 83.

Senator Quay estimates that the Republicans will have nine majority in the House.

NEW TO-DAY.

CONSTABLE'S SALE.

BY VIRTUE OF AN EXECUTION, ISSUED out of the Justice's Court of Bridgeport Township, Mono County, California, dated the 14th day of November, 1888, and to me directed and delivered for a judgment rendered and entered in said Court, on 7th day of September, 1888, in favor of W. M. WETTERILL, as plaintiff, and against COPPER MOUNTAIN CONSOLIDATED MINING COMPANY, a corporation defendant, for the sum of Two hundred and eighty-nine Dollars, U. S. Gold Coin, and costs of suit, taken at Forty-seven and 70/100 dollars, I have levied on the following Property, to wit: All the right, title, claim and interest of the said defendant, Copper Mountain Consolidated Mining Company, a corporation, in and to that certain Property situated in Homer Township, in said Mono County, California, to wit: The certain Mill Site situated about 1 1/2 miles north-west from Callahan's Station, and about 1 1/2 miles south of Sturgeon's Ranch, containing about 5 acres of land, with the improvements thereon, consisting of smelting furnace with building and office building. Also all the right, title and interest of, in and to that certain Water Ditch known as the Copper Mountain Consolidated Mining Company's Water Ditch, with all the Water and Water Rights flowing therein, or thereunto belonging. All of said property being known as the property of said defendant.

Notice is hereby given that on the 20th day of December, 1888, at 10 o'clock A. M. of that day, in front of the Court House in the said County of Mono, I will sell the right, title and interest of said Copper Mountain Consolidated Mining Company in and to the above described property, at Public Auction, for Cash Gold Coin in hand, to the highest and best bidder, to satisfy said Execution and all costs.

Dated the 20th day of November, 1888.
E. GURNEY, Constable.
Attd Bridgeport Township, Mono Co., Cal.

LAND OFFICE AT INDEPENDENCE, CAL., November 25, 1888.

NOTICE IS HEREBY GIVEN THAT THE following-named settler has filed his intention to make final proof in support of his claim, and that said proof will be made before the County Clerk of Mono County, Bridgeport.

JANUARY 27th, 1889.
viz: B. T. BROWN, Pre-emption D. S. No. 1224, for the Lots 12 and 13 in Sec. 33, T. 7 N., R. 23 E. M. D. 3.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: William Lohs, Alexander Kilpatrick, Morris J. Hayes, and Charles M. Willard, all residing in the vicinity of the land.

Any person who desires to protest against the allowance of such proof, or who knows of any substantial reason, under the law and the regulations of the Interior Department, why such proof should not be allowed, will be given an opportunity at the above mentioned time and place to cross-examine the witnesses of said claimant, and to offer evidence in rebuttal of that submitted by claimant.

JOHN W. P. LAIRD, Register.

THE LEGISLATURE.

The following is a list of the members of the next Legislature. The official returns may reduce the Republicans in the Assembly:

THE SENATE.	
1. Frank McGowan, R.	Humboldt and Del Norte
2. J. M. Brieland, D.	Trinity, Siskiyou and Shasta
3. M. H. Mead, D.	Modoc, Lassen, Plumas and Sierra
4. Albert F. Jones, D.	Butte
5. E. M. Preston, R.	Nevada
6. Archibald Yell, D.	Mendocino and Lake
7. Thomas Fraser, R.	Placer and El Dorado
8. John Boggs, D.	Colusa and Tehama
9. Frank Sprague, R.	Napa and Yolo
10. E. C. Hunsaw, D.	Sonoma
11. George Campbell, R.	Yuba and Sutter
12. (Vacant)	Sacramento
13. P. R. Dray, R.	Amador and Calaveras
14. A. Gaminetti, D.	Maria and Contra Costa
15. F. C. De Long, R.	Alameda
16. E. J. Moffit, D.	Alameda
17. W. E. Dargie, R.	Alameda
18. M. D. Dixon, D.	Alameda
19. Thomas J. Pinder, D.	San Francisco
20. J. W. Welch, D.	San Francisco
21. W. O. Banks, R.	San Francisco
22. J. N. E. Wilson, R.	San Francisco
23. W. H. Williams, D.	San Francisco
24. B. J. Murphy, D.	San Francisco
25. J. E. Britt, D.	San Francisco
26. T. H. McDonald, D.	San Francisco
27. John E. Hamill, D.	San Francisco
28. J. R. Spallay, D.	San Francisco
29. E. F. Langford, D.	San Joaquin
30. A. J. Meany, D.	Merced, Stanislaus and Tuolumne
31. A. W. Crandall, R.	Santa Clara
32. E. R. Conkling, R.	Santa Clara
33. J. D. Hyman, R.	San Mateo and Santa Cruz
34. George G. Goucher, D.	Alpine, Mono, Mariposa and Fresno
35. T. Flint, Jr., R.	Monterey and San Benito
36. John Roth, D.	Inyo, Tulare and Kern
37. E. H. Hancock, R.	San Luis Obispo, Santa Barbara and Ventura
38. S. M. White, D.	Los Angeles
39. J. E. McComas, R.	Los Angeles
40. W. W. Bowers, R.	San Bernardino and San Diego

ASSEMBLY.	
1. John McVey, D.	Del Norte and Siskiyou
2. J. G. Murray, R.	Humboldt
3. G. Williams, R.	Humboldt
4. T. W. H. Shanahan, D.	Trinity and Shasta
5. J. R. Davis, D.	Modoc and Lassen
6. H. K. Turner, R.	Plumas and Sierra
7. W. P. Matthews, D.	Tehama
8. C. H. Porter, R.	Butte
9. L. Y. Brewster, D.	Butte
10. John C. Campbell, R.	Colusa
11. J. H. Stowell, D.	Mendocino
12. C. M. Crawford, D.	Lake
13. D. A. Ostrum, D.	Sutter and Yuba
14. Josiah Sims, R.	Nevada
15. John L. Sykes, R.	Nevada
16. John Davis, R.	Placer
17. Henry Mahler, D.	El Dorado
18. W. M. Pettie, R.	Sacramento
19. C. C. Hart, R.	Sacramento
20. L. S. Fassett, R.	Sacramento
21. L. B. Adams, D.	Yolo
22. Frank L. Coombs, R.	Napa
23. F. R. Mulgrave, D.	Sonoma
24. J. W. Ragsdale, R.	Sonoma
25. Robert Howe, D.	Sonoma
26. A. A. Mullane, D.	Sonoma
27. J. F. Brown, R.	Salerno
28. J. W. Atherton, R.	Marin
29. Thomas Mulvey, D.	San Francisco
30. J. D. Long, D.	San Francisco
31. J. J. Brannan, D.	San Francisco
32. John Staudt, D.	San Francisco
33. W. E. Dignan, D.	San Francisco
34. E. J. Reynolds, D.	San Francisco
35. H. H. Dobbin, D.	San Francisco
36. C. H. Kiernan, D.	San Francisco
37. Thomas Seary, D.	San Francisco
38. D. S. Regan, D.	San Francisco
39. J. H. McCarthy, D.	San Francisco
40. E. Murray, D.	San Francisco
41. H. C. Dibble, R.	San Francisco
42. E. S. Salomon, R.	San Francisco
43. L. L. Ewing, R.	San Francisco
44. H. M. Black, D.	San Francisco
45. H. M. Bridgwell, R.	San Francisco
46. James Reavy, D.	San Francisco
47. G. W. Burnett, D.	San Francisco
48. T. C. Maher, R.	San Francisco
49. W. C. Price, R.	San Mateo
50. James A. Hall, D.	Santa Cruz
51. William Simpson, R.	Alameda
52. M. D. Hyde, R.	Alameda
53. E. S. Culver, R.	Alameda
54. M. C. Chapman, R.	Alameda
55. G. O. Alexander, R.	Alameda
56. Henry Hook, R.	Contra Costa
57. R. S. Johnson, R.	San Joaquin
58. John McMillin, D.	San Joaquin
59. C. D. La Grange, D.	Alameda
60. John Gardner, R.	Calaveras
61. R. L. Talloch, D.	Tuolumne
62. Phil. Hersey, R.	Santa Clara
63. James R. Lowe, R.	Santa Clara
64. A. B. Whitehurst, D.	Santa Clara
65. V. E. Bangs, D.	Stanislaus
66. W. M. Randall, D.	Merced and Mariposa
67. F. C. Tally, D.	San Benito
68. Thomas Remison, D.	Monterey
69. E. H. Tucker, D.	Fresno
70. S. R. Perry, D.	Tulare
71. Cyrus Coleman, R.	Alameda
72. D. W. James, D.	San Luis Obispo
73. G. A. Storke, D.	Santa Barbara
74. G. W. Wear, D.	Kern and Ventura
75. J. E. Brierly, R.	Los Angeles
76. E. E. Damron, R.	Los Angeles
77. E. E. Edwards, R.	Los Angeles
78. E. W. Holmes, R.	San Bernardino
79. Nestor A. Young, R.	San Diego

SUMMARY.	
Senate—Republican	17
Senate—Democrats	22
Vacancy	1
Total	40
Assembly—Republican	38
Assembly—Democrat	42
Total	80

RAILROAD LANDS.

For Sale on Reasonable Terms.

Apply to or address

W. H. MILLS,	JEROME MADDEN,
Land Agent,	Land Agent,
C. P. R. & S. F.	S. P. R. & S. F.
Or H. B. ANDREWS,	
Land Commissioner, G. H. & S. A. Ry.,	
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The trial of Dimmig, for the murder of Benhayon, in San Francisco, is set for Monday next.

The charges of forgery against Clara Bell McDonald, of San Francisco, notoriety, have been dismissed.

Elias Jones, a Pioneer, aged 61, died recently in Shasta county.

Florida gave Cleveland 12,902 majority.

TRAVELER'S GUIDE.

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TOURIST SLEEPING CARS.

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LEGAL.

NOTICE TO TAXPAYERS.

TAX COLLECTOR'S OFFICE,
Bridgeport, Mono County, Cal.
THE ASSESSMENT BOOK FOR THE YEAR 1888, has been placed in my hands, and notice is hereby given, that I will be in the places mentioned at the time specified for the purpose of receiving payment for the same: ANTELOPE—At James Tookill's Store, December 4th and 5th. CLINTON—At J. H. Sheehan's Store, December 7th.

LUNDY AND MONO LAKE.—At Judge Mettly's Court Room, December 10th. BENTON.—At W. Shimmila's Store, December 13th and 14th. BRIDGEPORT.—At Tax Collector's Office at any time.

And Notice is hereby given that Taxes will be Delinquent on the 1st Monday in December, 1888, at 6 o'clock, P. M., and unless paid prior thereto, 5 per cent. will be added to the amount thereof.

WAT MORGAN,
Tax Collector.

Dated October 23d, 1888. 027-14

ARTICLES OF CO-PARTNERSHIP.

STATE OF CALIFORNIA, ss.

WE, THE UNDERSIGNED, DO HEREBY certify that we are partners in the business of sheep raising in this State, at Antelope Valley, in the County of Mono, under the firm-name and style of TERRY AND TAYLOR; that the names in full of all the members of such partnership are Reuben Terry and Charles H. Taylor, and that the places of our respective residences are set opposite our respective names hereunto subscribed.

In witness whereof we have hereunto set our hands this First day of November, A. D., 1888.

Names.

REUBEN TERRY, Antelope Valley, Mono County, Cal.

CHARLES H. TAYLOR, Antelope Valley, Mono County, Cal.

STATE OF CALIFORNIA, ss.

On this First day of November in the year One thousand eight hundred and eighty-eight, before me, J. L. Brooks, a Justice of the Peace, in and for the said County of Mono, personally appeared Reuben Terry and Charles H. Taylor, personally known to me to be the same persons whose names are subscribed to the said within instrument, and acknowledged to me that they executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my private seal, (having no seal of office) this day and year in this certificate first above written.

J. L. BROOKS, (Seal)
Justice of the Peace.

Indorsed: Certificate of Co-partnership of Reuben Terry and Charles H. Taylor.
Filed Nov. 1, 1888. 32-4W. O. H. KISTLER, Clerk.

DESERT LAND, FINAL PROOF.

UNITED STATES LAND OFFICE,
SACRAMENTO, CALA.,
November 2nd, 1888.

NOTICE IS HEREBY GIVEN THAT PETER VALLEJO, of Woodlands P. O., Alpine Co., Cal., has filed notice of intention to make proof on his desert land claim, No. 4, for the N. 1/2 of S. W. 1/4 and S. W. 1/4 of Sec. 20, N. W. 1/4 of S. W. 1/4 of Sec. 21, N. E. 1/4 of Sec. 20, and N. E. 1/4 of Sec. 21, T. 11 N., R. 20 E., M. D. B. & M., before the Superior Judge of said Alpine county at Markleville, Cal., on the 22nd day of DECEMBER, 1888.

He names the following witnesses to prove the complete irrigation and reclamation of said land: John W. Sherman, Lyman D. Barber, William Clouston and Patrick Heston, all of Woodlands P. O., Alpine Co., Cal.

n10-td SEIDEN HITZEL

CHRONICLE-UNION.

BRIDGEPORT, DECEMBER 1, 1888.

LOCAL INTELLIGENCE.

Personal.

C. M. Taylor, James Todkill and O. H. Strickland came up from Antelope on Monday.

James McCoghren, of Clinton, was here on Monday.

Mrs. Sam. Fales, of Hot Springs, is visiting friends on the other side of the big hills, and is now in Stockton.

W. P. Onkst and wife, Miss Lulu Montrose and Steve Kavenaugh, of Lundy, enjoyed their Thanksgiving turkey in Bridgeport.

Supervisor Fales could not eat his Thanksgiving turkey out of Bridgeport.

Sheriff Morgan returned last evening from Butte county, where he had been to see his sick mother, who is fast recovering.

Thos. B. Riekey and brother, Col. Frank Riekey, and Lewis Gullickson are in town from Antelope.

N. Dondero and wife, of Mono Lake, were in town yesterday.

Wm. Radley passed through town yesterday on his way to his Antelope home.

Supervisor Boone is in town today.

ANOTHER AURORA "BOOM."—A. F. Bryant, of Bridgeport, visited Aurora on Monday and found the Aurorans in high glee over the prospects of that camp. The recent strike in the Antelope—which, by the way, was unlooked for, as the tunnel has not reached the point where it is expected to strike the ledge—is looking favorable, and considerable good ore has been taken out. The tunnel, in the meantime, is being pushed energetically.

Another English syndicate has been organized in London to invest in Aurora mining property, and the way they have started in shows that they mean business. The first installment has been paid in, and the Humboldt, belonging to Governor Bladell, and several other mines, have been purchased, or are in a fair way to be. This Company propose to erect a forty-stamp mill at their mines, the motive power to come from an electric "plant" to be erected on Walker River. This will enable the Company to work low-grade ores at a profit, and there are thousands of tons of such ores in the Aurora District awaiting a cheap method of reduction. The prospects are extremely flattering for the old camp to regain some of its old-time glory.

THANKSGIVING.—Thursday was a beautiful day, and our citizens observed it quietly. There were many family reunions and social dinner parties, where the anatomy of our National Bird, the proud turkey, was closely and satisfactorily studied, each and every bone receiving the usual Thanksgiving polish. Business was suspended at the Court House, over which Old Glory proudly floated, and a social dance was given in the evening at Wedertz Hall. Mrs. Wedertz providing a toothsome turkey supper for those attending. Our people are thankful for Divine favors during the year fast drawing to a close. They have enjoyed health, good crops and a prosperous business, and some have had the usual addition to their families—for all of which why should we not be thankful?

DEAD AS A HERRING.—Jones' paper, which has had a fitful existence under the haunting title of the "Bodie Evening Miner and Mono County Relief," has not been seen since Nov. 12th, and it may be said to be as dead as a herring. It has been a "weak sister" for the past two years, during which it has several times gone off in a trance, from which it was as frequently aroused in a greatly weakened state. Those who have had legal notices in its columns, without having their publication legally completed will learn that it is safest to publish in an old established paper like the CHRONICLE-UNION.

CHANGED HANDS.—James Todkill, of Antelope, has purchased the fine ranch of ex-Supervisor C. M. Taylor in that valley; and Kirman & Riekey have bought the Brown ranch in that valley, making the third ranch that firm has purchased in that valley this year. James Todkill has, also, purchased the McKay ranch in the same valley.

A FINE SIGHT.—The Court House flag-staff having been lengthened, the new flag floating over the official headquarters of our public servants on festive occasions is one of the prettiest sights an American can gaze upon—a pretty woman only can excel it, and we have many of those in town, also.

THE MEXICAN CASTRO.—The tunnel of the Monte Cristo, Patterson District, is in 850 feet, and being pushed vigorously. Considerable water has been coming in lately, but not enough to inconvenience the miners.

HOLIDAY GOODS.—What's the matter with Hale, Bros. & Co., Sacramento? They are all right with Santa Claus! Read their new Holiday advertisement in another column. They are Santa Claus' headquarters.

FRUITERS DEE.—The mammoth teams of Frank Dotan, Thos. Kirkwood and Dick Russell are due from Carson, with freight for this place and Bodie.

CONTINUED.—On stipulation the Bulwer Standard cases were on Monday ordered continued, by Judge Hakes, until January 7th.

THE WEATHER has been pleasant this week.

IN FINE ORDER.—The roads to Antelope and Bodie are in fine running order.

JUDGE HAKES WATER DECISION.

The following is the gist of Judge Hakes' decision in the water case of Kirman & Riekey vs. N. B. Hunewill et al. The case, in which the sympathies of our farmers were with plaintiffs, was tried in the latter part of August:

XV.

That at various times since the year 1862, diverse persons who are now plaintiffs, grantors and predecessors entered into the possession of and settled upon, and afterwards acquired titles to the lands described in plaintiffs' findings (I.), which are designated on map filed in evidence as exhibit "A," as Valley View Ranch, portions of which lands, ever since said year 1862, having been irrigated with the waters of Dogtown Creek, a natural water course, with well defined banks, and having certain forks, branches, and tributaries, known and called Clear Water Creek, Virginia Creek, East Fork of Dogtown Creek and the West Fork of Dogtown Creek, all of which empty into and make up the waters, and the principal volume and flow of Dogtown Creek.

XVI.

That said Dogtown Creek runs naturally of right into, onto, unto, and through said plaintiffs' lands, known as the Valley View Ranch, for a distance of about two miles, the waters of which stream having been taken out by means of dams and ditches, and appropriated and used, in irrigating portions of said lands, and for domestic, culinary and household purposes thereof, and for watering stock thereon, ever since said year 1862; the appropriation and use thereof increasing in proportion as the said tracts of lands, now composing said Valley View Ranch, were settled upon and improved.

XVII.

That plaintiffs were, at the commencement of this action, and are now the owners through mean conveyances, and by good and sufficient deeds of conveyance to them, from their grantors and predecessors, of all the tracts of land described in plaintiffs' findings I., and had been the owners of and in the possession of all the tracts of land, irrigated by the said waters of said Dogtown Creek since the first day of June, 1862.

XVIII.

That the various titles of plaintiffs grantors and predecessors, to the said lands irrigated by said waters of Dogtown Creek, were acquired at times dating from 1870 to 1887, by patents from United States, and by certificates of purchase, and deeds from the State of California, and thence by mean conveyances. Plaintiffs, said grantors and predecessors, having been continuously in possession of said tracts of land, and each and every year after acquiring titles, having irrigated portions of said tracts of land with said waters, as mentioned in plaintiffs' findings 19.

XIX.

That the said fork and tributary of said Dogtown Creek, called the West Fork of Dogtown Creek, when not diverted makes up about one-third of the usual flow and volume of said Dogtown Creek, and has been used by plaintiffs, their grantors and predecessors, for irrigating and other purposes on said lands, described and called Valley View Ranch, since about the year 1864.

XX.

That said Dogtown Creek, with its forks, tributaries and branches forms a natural water-shed and lies on the north side of the north side of the mountains; the waters of which run northerly, and on account of the physical formation of the country, there being natural barriers on the east, north and west of said stream and branches, cannot run other, than down to, upon and through, said Valley View Ranch, unless diverted by artificial means.

XXI.

That in the Fall of the year 1860, a large body of miners working mines at Mono-ville, on the east side of the ridge and divide from said Dogtown Creek, and about nine miles away, constructed a ditch, known on map as Ditch No. 1, from a point on the West Fork of Dogtown Creek, called Thompson's Camp to said Mono-ville, and by means of a dam in bed of said creek, and flumes, and said Ditch No. 1, diverted the contents of the waters of said West Fork of Dogtown Creek, and conducted the same to Mono-ville to be there used in mining, the greater part of said waters being so diverted and used at Mono-ville, from said Fall of 1860, until some time in the year 1864, when owing to the breaking down of flumes, and the filling up of ditch No. 1, from a point marked outlet on the map easterly, to Virginia Creek, said water ceased to run further than said outlet, in said ditch, and from thence found their way back into the natural channel of Dogtown Creek, and from said last date has run continuously, into said Dogtown Creek making up one-third of the waters thereof, until the diversions mentioned in findings 32, 36 and 40.

XXII.

That a small portion, about 40 inches of the water of West Fork of Dogtown Creek, either run down its natural channel, or into Gravel Diggings "B," situated and lying northerly, and below said ditch, and was used for mining, by various miners from said year 1860 until 1865, all of which waters after being so used, having continuously flowed into said Dogtown Creek, all of said time.

XXIII.

That the principal part of the waters of said West Fork of Dogtown Creek, from the year 1864, was during the mining season of each year, and until the Fall of 1886, taken out at Thompson's Camp, and conducted by means of ditch No. 1, to outlet where it left said ditch, and run from thence into Gravel Diggings "B," and after being used by various miners, run from thence into Dogtown Creek, making one-third thereof, which was continuously used by said plaintiffs and their grantors and predecessors, during the irrigating season of each and every year

during said time, upon said lands described, and called Valley View Ranch, and that said appropriations and use of said waters by any person or persons in Gravel Diggings "B" was not with the intent to deprive said plaintiffs, or their grantors or predecessors, or any of them, of any of the waters of the West Fork of Dogtown Creek, during any portion of said time; nor did the said use aforesaid of said water ever deprive said plaintiffs, or their grantors, or predecessors, or any of them, of any of said waters of said stream.

XXIV.

That in the month of April, 1887, the defendant N. B. Hunewill, who claimed the possession of said ditch No. 1, and the water of the West Fork of Dogtown Creek, as derived from one W. Withersell, leased said water to defendants, D. E. Jones and the Virginia Creek Hydraulic Mining Company, who together with and jointly with said defendant Hunewill, diverted all the water of said stream, and conducted the same across the divide into Mono Diggings, and wholly deprived plaintiffs of the use thereof thereafter, for a period aggregating about 4 months, as mentioned in plaintiffs' findings 32, 36 and 40, and until restrained by order of this Court. Said Withersell having in the previous Fall repaired and cleaned out said ditch No. 1, from outlet to Virginia Creek, and built a dike therein, and placed dams therein, and diverted said water without plaintiffs' knowledge or consent.

XXV.

That said diversions and appropriations by said Withersell, and by said defendants, Hunewill, Jones and the Virginia Creek Hydraulic Mining Company, were not made by or with the consent of said plaintiffs, or either of them, or with the consent of their grantors or predecessors, or any of them, through whom said plaintiffs derive their title to the said lands described, and the waters of said West Fork of Dogtown Creek, used and appropriated by them, thereon.

XXVI.

That all of the waters of said West Fork of Dogtown Creek ever since said year 1864, have continuously run into, upon and through said plaintiffs' lands, known as the Valley View Ranch, and been continuously used in irrigating the same, during the irrigating season of each and every year until the diversions made by defendants, in the year 1887.

XXVII.

That said plaintiffs, their grantors and predecessors, have openly, notoriously, exclusively, and under a claim of right, and adversely to and in hostility to any and all title or right of said defendants, and each of them and their grantors and predecessors, and each of them, and with the knowledge of said defendants and their predecessors, and each of them, appropriated, and continuously used all of the waters of said West Fork of Dogtown Creek, during the irrigating season of each and every year, for a period of time dating from the year 1865 up to the year 1887, and said plaintiffs are now using the same.

XXVIII.

That said plaintiffs were appropriating and using all the water of the West Fork of Dogtown Creek, upon their said lands and premises within a period of five years, and to wit: within a period of one year before the diversions mentioned herein, and immediately before the commencement of this action, and that the amount of water flowing in the West Fork of Dogtown Creek, of which said plaintiffs are now entitled to use, and of which said plaintiffs at the commencement of this action had the undisputed usufructuary right to use in a reasonable manner and way upon their said lands and premises, consists of the whole thereof, and that defendants and each of them have no right, title or interest in or to said water, or the use thereof by reason of said diversions, or otherwise which deprives plaintiffs of the use of the whole thereof, or any right to divert said water, or any part thereof, from the lands and premises of plaintiffs, in any manner or way whatever.

XXIX.

That the defendants were threatening the continuance of said diversions, and were continuing to divert all the waters of the West Fork of Dogtown Creek, at the time of the commencement of this action, and if not restrained will continue so to do.

XXX.

That said Dogtown Creek and its branches and tributary, the West Fork of Dogtown Creek, and the water ditch, diggings, and lands and premises, mentioned in the findings herein, are all situate in Mono county, State of California, and that plaintiffs were damaged by reason of said diversions in the sum of \$150.00.

As conclusions of law from the foregoing, and all the findings of fact herein, the Court finds:

That the defendants, N. B. Hunewill, D. E. Jones and the Virginia Creek Hydraulic Mining Co., are not, nor are any of them, entitled to divert or take out of the West Fork of Dogtown Creek any water by any means or in any manner whatever which will diminish or obstruct the usual and constant flow of all of said water down to and upon the said lands and premises of plaintiffs, or which will prevent any of said water of the West Fork of Dogtown Creek from flowing into, onto and unto and through the said plaintiffs' lands, and the same has of right, and usually flowed thereto and thereon, heretofore, when not diverted by defendants.

And that they, and each of them and their agents, be perpetually enjoined from diverting, or taking out of the West Fork of Dogtown Creek, any water in any manner or way, whereby the plaintiffs may be deprived of the use thereof, and also from keeping, maintaining, or erecting any obstruction, dam, or ditch, which will prevent or stop the said water from flowing into, onto, and through said plaintiffs' lands; and also from diverting, obstructing, or

diminishing the said water, or any part thereof, of the West Fork of Dogtown Creek, at any point or points above said plaintiffs' lands, so that the whole of said water will not flow down to, unto, and through said lands of plaintiffs.

Also that said defendants have no right, title or interest in or to the waters of the said West Fork of Dogtown Creek, or the use thereof which will prevent said plaintiffs from using the waters of said stream in a reasonable manner and way upon their said lands and premises, and that they and each of them, the said N. B. Hunewill, D. E. Jones, and the Virginia Hydraulic Mining Company, be perpetually enjoined and restrained from diverting or obstructing, or in any manner interfering with the water of the West Fork of Dogtown Creek, or any portion thereof, or the regular or constant flow of the same, so as to prevent said waters from flowing through and unto said lands of plaintiffs, by virtue of any right, title or interest heretofore acquired, or held by them or either of them.

Also that plaintiffs are the owners and entitled to the possession and in the possession of all the lands described in the complaint and are the owners of, and entitled to an interest in, all the waters of the West Fork of Dogtown Creek, equal in amount to the constant flow of the same, together with the undisputed usufructuary right to use in a reasonable manner and way all the waters of said stream upon their said lands and premises.

Also that said plaintiffs recover from said defendants the sum of \$150.00 damages, and their costs of this action necessarily expended or incurred. That judgment be entered accordingly.

Done in open Court, November 1, 1888.

O. F. HAKES, Superior Judge.

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When water once begins to boil it is impossible to raise its temperature any higher; all excess of heat is absorbed by the escaping, as so called, latent heat, and is given out again when it condenses.

We often speak of seeing the steam escaping from the mouth of a kettle, but this is incorrect—steam is an invisible vapor, and we can see no more see it than we can air. What we do see are the minute drops of water into which the steam condenses, precipitating into the cool air.

If we fill a glass with water, we shall see that nothing can be seen in the interior, and by observing the steam escaping from a kettle we shall notice that there is a distance between the end of the spout and the point where the cloud becomes visible.

This cloud of steam itself exactly the same nature as the clouds which float in the sky, and which are formed by the condensation of cool upper regions of aqueous vapor in the air.

The Meddler.

Whenever madam added to her list of friends an eligible young man, she set about finding a girl who could amuse him, and keep him within her circle; but no sooner did the two young persons become mutually interested, than she changed her manner and did all that she could to separate them. It would seem that she considered courtship rather than matrimony the climax of earthly bliss, and that, consequently, she endeavored to prevent marriage whenever she was able, not only because it was something she could not conscientiously recommend, but also because the fewer the weddings the more hearts would she continue to have at her disposal for the pursuit of her favorite amusement. It was her sole pleasure in life to promote love. She paired couples as nonchalantly as she pared her nails, and a great deal of offener. But let it appear that the young people were beginning to care for one another, presto! She would have none of it. The young man was out of her books instantly. She knew her no more forever, and all her failings real or supposed, were paraded before the world be the lover's eyes, that he might avoid that young woman as he would a pestilence. And yet this meddler was a match-maker in her own despite; for though she did not press a couple on to matrimony, whole droves of couples arrived there nevertheless, thanks to her peculiar methods alone.

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